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Subject STB Docket No. AB-307 (Sub-No. 6X), Wyoming and
Colorado Railroad Company, Inc. - Abandonment Exemption
- In Carbon County, WY

ED-773
K-B

Based on our phone conversation this morning, I suggest that the originally recommended condition in the Environmental Assessment (EA) which was served by the Surface Transportation Board's (Board's) Section of Environmental Analysis (SEA) on April 11, 2006, be replaced by a new condition in the Post EA, which will be SEA's final recommendation to the Board. Activity within one mile of an eagle nest or roost may disturb bald eagles and result in take. SEA believes that inclusion of this language will result in no adverse effect to any listed species. Please let us know if you concur. Thanks for your input and cooperation.

SEA recommends that the following environmental condition be placed on any decision granting abandonment authority:

To address the concerns of the United States Department of the Interior, Fish and Wildlife Service (USFWS) Wyoming Field Office, prior to commencement of any salvage activities, Wyoming and Colorado Railroad Company (WYCO) shall consult with USFWS concerning potential impacts to species of Federal concern that may occur in the vicinity of the line. In order to reduce potential adverse effects to the bald eagle, a disturbance-free buffer zone of one mile should be maintained around eagle nests and winter roost sites. If a disturbance-free buffer zone of one mile is not practicable, then the activity should be conducted outside of February 15 through August 15 to protect nesting birds and November 1 through April 15 to protect roosting birds. WYCO shall report the results of the USFWS consultations to the Board's Section of Environmental Analysis in writing prior to the onset of salvage operations.